

IN THE CIRCUIT COURT OF LAKE COUNTY

People ex rel _____
_____ on behalf of
_____ self and/or on behalf of

Petitioner

-vs-

Respondent

Case No. _____

- ☐ Independent Proceeding
☐ Other Civil Proceeding
(Specify) _____
☐ Criminal Proceeding
☐ Juvenile Proceeding

FINDINGS ORDER OF PROTECTION

☐ Emergency ☐ Interim ☐ Plenary

[Finding solely applicable to an ex parte Emergency Order]

The Court, having examined the Petition filed in this case, as well as the person presenting the petition, under oath, FINDS THAT:

☐ The averments presented are sufficient to grant the relief ordered:

The Court, having examined the Petition filed in this case and having conducted a hearing thereon, under oath, FINDS THAT:

- ☐ A. It has jurisdiction of the subject matter and over all necessary persons in these proceedings pursuant to :
☐ IDVA ☐ UCCJA:
- ☐ B. _____ has/have been abused by Respondent, a family or household member as defined in the IDVA.
- ☐ C. Said abuse has consisted of:
☐ Physical abuse; ☐ Harassment; ☐ Interference with personal liberty; ☐ Intimidation of a dependent; ☐ Willful deprivation
- ☐ D. The following persons are also protected by this Order:

- ☐ E. The Court has considered the nature, frequency, severity, pattern and consequences of past abuse and the likelihood of future abuse to Petitioner or any member of Petitioner's or Respondent's family or household.
- ☐ F. For the remedy of Exclusive Possession of the Residence:
☐ Petitioner has a right to occupancy and Respondent has no right to occupancy;
OR
☐ Both parties have a right to occupancy, and considering the risk of further abuse by Respondent interfering with Petitioner's safe and peaceful occupancy and all other relevant factors, the balance of hardships favors Petitioner.
- ☐ G. For the remedy relative to prohibitions on Respondent from entering or remaining present at Petitioner's school, place of employment, or other places at times when Petitioner is present:
☐ Respondent has no right to enter/remain present at such place(s); or
☐ The balance of hardships favors Petitioner in prohibiting Respondent from entering or remaining at such place(s).
☐ The specific place(s) are as follows:

- ☐ H. For the remedy of counseling, the likelihood of future abuse would be minimized by appropriate counseling services.
- ☐ I. For the remedies of Temporary Legal Custody, Removal or Concealment of Child, Order to Appear, or Physical Care of Child, there exists a danger that a minor child will be [Check applicable box(es)]:
- ☐ Abused or neglected;
 - ☐ Improperly removed from this jurisdiction or improperly concealed within the State;
 - ☐ Improperly separated from the child's primary caretaker.
- ☐ J. For the remedies of Temporary Legal Custody, Removal or Concealment of Child, Order to Appear, or Physical Care of Child, _____ is or has been the primary caretaker of such minor child/ren.
- ☐ K. For the remedy of Exclusive Possession of Personal Property, as listed in the Petition:
- ☐ Petitioner, but not Respondent, owns such property.
 - OR
 - ☐ Sharing the property creates a further risk of abuse or is impractical and the balance of hardships favors temporary possession by Petitioner, and
 - ☐ Petitioner and Respondent own the property jointly, or
 - ☐ The property is alleged to be marital property and a proceeding has been filed under the IMDMA.
- ☐ L. For the remedy of Protection of Property as listed in the Petition:
- ☐ Petitioner, but not Respondent, owns such property.
 - OR
 - ☐ The balance of hardships favors Petitioner, and
 - ☐ Petitioner and Respondent own the property jointly, or
 - ☐ The property is alleged to be marital property and a proceeding has been filed under the IMDMA.
- ☐ M. For the remedy of support, Respondent has a legal obligation to provide support to ☐ Petitioner and/or ☐ the minor child/ren.
- ☐ N. For the remedy of payment of losses, as a direct result of the abuse, the Petitioner has suffered the following losses:
- _____
- _____
- _____
- ☐ O. For the remedy of Prohibition of Entry, Respondent constitutes a threat to the safety and well-being of Petitioner or Petitioner's children by entering or remaining in the residence or household while under the influence of alcohol or drugs.
- ☐ P. _____ is unable to bring the Petition on his/her own behalf due to age or disability.
- ☐ Q. The disclosure of Petitioner's address would risk abuse of some member of the family or household or would reveal the confidential address of a shelter for domestic violence victims.
- ☐ R. Filing fees are [Independent Proceedings only]: ☐ Waived; ☐ Deferred.
- ☐ S. The hardship to Respondent, if remedy(ies) _____ were granted, substantially outweighs the hardship to Petitioner in the following manner: _____
- _____
- _____
- _____
- ☐ T. Additional findings: _____
- _____
- _____
- _____
- _____

EMERGENCY ORDER ONLY

- ☐ U. For each of the remedies allowable under Emergency Orders of Protection, the harm which that remedy is intended to prevent would be likely to occur if Respondent were given any prior notice, or greater notice than was actually given, of Petitioner's efforts to obtain judicial relief.
- ☐ V. For the remedy of Exclusive Possession of the Residence, the immediate danger of further abuse if Petitioner chooses or has chosen to remain in the residence or household, while Respondent was given any prior notice, or greater notice than was actually given, outweighs the hardship to Respondent.
- ☐ W. For the remedy of Exclusive Possession of Personal Property, an improper disposition of the property would be likely to occur if Respondent were given any prior notice, or greater notice than was actually given, of Petitioner's efforts to obtain judicial relief, or Petitioner has an immediate and pressing need for possession of the property.

APPLICABLE TO ALL TYPES OF ORDERS

TRANSFERS, RESERVATIONS, OR DENIALS (which shall be set out in an order):

- ☐ I. Requests for the following remedies are to be transferred by order to _____
as being a Court which ordinarily addresses such matters:

- ☐ II. Rulings on the following remedies are to be expressly reserved by this Court:

- ☐ III. Relief with respect to the following remedies is to be denied for the following reasons:

Date: _____

Judge _____